



Fischer 46-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicants(s): Fischer et al.
Case: 46-3
Serial No.: 10/719,645
Filing Date: November 21, 2003
Group: 2651
Examiner: Glenda P. Rodriguez

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature: John Maurer Date: December 6, 2005

Title: Long Hold Time Sample and Hold Circuits

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Response to Restriction Requirement relating to the above-identified patent application. There is no additional claim fee due in connection with the Response.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **IBM Corporation Deposit Account No. 50-0510** as required to correct the error. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Kevin M. Mason

Date: December 6, 2005

Kevin M. Mason
Attorney for Applicants
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560



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Signature: *Jane Maurer* Date: December 6, 2005

Title: Long Hold Time Sample and Hold Circuits

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Examiner's November 17, 2005 Official Action.

The Examiner found that the claims of the instant application, which are directed to sample and hold circuits that provide longer hold times, describe two distinct inventions. The Examiner therefore required that the application be restricted to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1- 13, drawn to a sample and hold circuit, classified in class 327, subclass 90; and
- II. Claims 14-20, drawn to a disk drive with a circuit device, classified in class 360, subclass 66.

Applicants respectfully assert that the restriction requirement is improper and should be withdrawn, since each Group is generally drawn to sample and hold circuits, and it is believed that a complete search for each Group would require a search of most, if not all, of the individual classes and subclasses. It is noted that the disk drive of claim 14 includes the sample and hold circuit of claim 1. Accordingly, Applicant submits that an examination of both Groups would not impose a serious burden on the Examiner. Where, as here, "the search and examination of an entire

application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” MPEP §803.

Accordingly, it is respectfully requested that the restriction requirement be reconsidered and withdrawn and that all of the pending claims in the application be examined together in this application, or, alternatively, Applicant hereby elects Group I, claims 1-13, for prosecution in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin M. Mason". The signature is fluid and cursive, with the first name "Kevin" and last name "Mason" being clearly distinguishable.

Date: December 6, 2005

Kevin M. Mason
Attorney for Applicants
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
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Fairfield, CT 06824
(203) 255-6560